

KEVIN V. RYAN (CSBN 118321)  
United States Attorney

EUMI L. CHOI (WVBN 0722)  
Chief, Criminal Division

MICHELLE MORGAN-KELLY (DEBN 3651)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-6960

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05 00457 JSW
	)	
Plaintiff,	)	PARTIES' STIPULATION AND
	)	<del>[PROPOSED]</del> ORDER SETTING
v.	)	STATUS CONFERENCE AND
	)	EXCLUDING TIME PURSUANT TO
PATRICK JENKINS,	)	18 U.S.C. §§ 3161(h)(1)(I), (5) and (8)(A)
	)	
Defendant.	)	
	)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties appeared on the instant matter on October 27, 2005 for a status hearing before the Court.

2. At the October 27, 2005 initial appearance, Assistant Federal Public Defender Daniel Blank, who represents the defendant, requested a continuance in order to set a date for a plea hearing and in light of defendant's success in his drug treatment program, a six-month program in which defendant has participated for two months and which defendant wishes to complete prior to entering prison. The Court set a date for a change of plea on December 8, 2005 and indicated that the parties could submit a stipulated request to exclude time under the Speedy Trial

1 Act.

2 3. The parties hereby stipulate and request that the time period from October 27, 2005 until  
3 December 8, 2005 be excluded from the calculation of time under the Speedy Trial Act pursuant  
4 to 18 U.S.C. §§ 3161(h)(1)(I), (5), and (8)(A).

5 4. In light of the foregoing facts, the ends of justice would be served by the Court excluding  
6 the time period from October 27, 2005 through December 8, 2005. These ends outweigh the best  
7 interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

8 5. For the reasons stated, the time period from October 27, 2005 through December 8, 2005  
9 shall be excluded from the calculation of time under the Speedy Trial Act.

10 SO STIPULATED.

11 DATED: 10/27/05

12 KEVIN V. RYAN  
United States Attorney

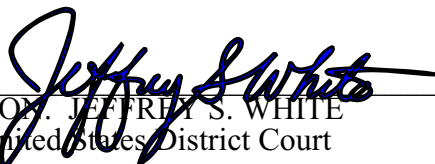
13  
14 /s/  
15 MICHELLE MORGAN-KELLY  
Assistant United States Attorney

16  
17 DATED: 10/31/05

18 /s/  
DANIEL BLANK  
Assistant Federal Public Defender

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
20

21  
22 DATED: November 1, 2005

23   
HON. JEFFREY S. WHITE  
United States District Court